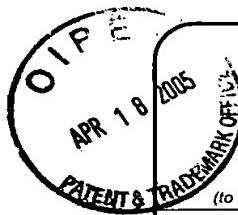


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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/657,010        |
| Filing Date            | September 5, 2003 |
| First Named Inventor   | Kyosuke Achiwa    |
| Art Unit               | 2188              |
| Examiner Name          | P. Baker          |
| Attorney Docket Number | 16869S-026610US   |

| <b>ENCLOSURES</b> <i>(Check all that apply)</i>  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>USPTO forms SB08A/B (2 pages), copies of two cited non-patent references, Return Postcard |
| <input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53  |  | <b>Remarks</b> The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                                    |          |        |
|--------------|------------------------------------|----------|--------|
| Firm Name    | Townsend and Townsend and Crew LLP |          |        |
| Signature    |                                    |          |        |
| Printed name | George B. F. Yee                   |          |        |
| Date         | April 15, 2005                     | Reg. No. | 37,478 |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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| Signature             |                |
| Typed or printed name | DJ Bogorodsky  |
| Date                  | April 15, 2005 |



PATENT  
Attorney Docket No.: 16869S-026610US  
Client Reference No.: E5883-03 EO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kyosuki Achiwa et al.

Application No.: 10/657,010

Filed: September 5, 2003

For: STORAGE APPARATUS SYSTEM  
AND METHOD OF DATA BACKUP

Examiner: P. Baker

Art Unit: 2188

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the cited non-patent references are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

CERTIFICATION

I hereby certify that no item of information contained in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



George B. F. Yee  
Reg. No. 37,478

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
GBFY:rnh

60469120 v1



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|--|---|----|---|--------------------------|-------------------|
| Substitute for form 1449A/PTO  |   |    |   | <b>Complete if Known</b> |                   |
| <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b><br><i>(use as many sheets as necessary)</i> |   |    |   | Application Number       | 10/657,010        |
|  |   |    |   | Filing Date              | September 5, 2003 |
|  |   |    |   | First Named Inventor     | Kyosuke Achiwa    |
|  |   |    |   | Art Unit                 | 2188              |
|  |   |    |   | Examiner Name            | P. Baker          |
| Sheet  | 1 | of | 2 | Attorney Docket Number   | 16869S-026610US   |

| <b>U.S. PATENT DOCUMENTS*</b> |                       |                    |                                   |                                |  |
|-------------------------------|-----------------------|--------------------|-----------------------------------|--------------------------------|--|
| Examiner Initials*            | Cite No. <sup>1</sup> | Document Number    |                                   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document |
|                               |                       | Number             | Kind Code <sup>2</sup> (if known) |                                |  |
|                               | 1                     | US-2004/0167942 A1 |                                   | 08-26-2004                     | Oshinsky et al.                                    |
|                               | 2                     | US-6,760,723 B1    |                                   | 07-06-2004                     | Oshinsky et al.                                    |
|                               | 3                     | US-2002/0116404 A1 |                                   | 08-22-2002                     | Cha et al.   |
|                               | 4                     | US-6,378,054 B1    |                                   | 04-23-2002                     | Karasudani et al.                                  |
|                               | 5                     | US-2002/0015336 A1 |                                   | 02-07-2002                     | Watkins et al.                                     |
|                               | 6                     | US-5,522,037       |                                   | 05-28-1996                     | Kitagawa et al.                                    |

| <b>FOREIGN PATENT DOCUMENTS</b> |                       |                           |                     |                                   |  |
|---------------------------------|-----------------------|---------------------------|---------------------|-----------------------------------|--|
| Examiner Initials*              | Cite No. <sup>1</sup> | Foreign Patent Document   |                     |                                   | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|                                 |                       | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |  |
|                                 |                       |                           |                     |                                   |  |
|                                 |                       |                           |                     |                                   |  |

|                    |                 |
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| Examiner Signature | Date Considered |
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup>Applicant's unique citation designation number (optional). Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

60469120 v1

|  |   |    |   |                               |                   |
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| Substitute for form 1449B/PTO                            |   |    |   | <b>Complete If Known</b>      |                   |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |   |    |   | <i>Application Number</i>     | 10/657,010        |
|  |   |    |   | <i>Filing Date</i>            | September 5, 2003 |
|  |   |    |   | <i>First Named Inventor</i>   | Kyosuke Achiwa    |
|  |   |    |   | <i>Art Unit</i>               | 2188              |
|  |   |    |   | <i>Examiner Name</i>          | P. Baker          |
|  |   |    |   | <i>Attorney Docket Number</i> | 16869S-026610US   |
| Sheet  | 2 | of | 2 |                               |                   |

| <b>NON PATENT LITERATURE DOCUMENTS</b> |                       |   |  |  |
|--|-----------------------|---|--|--|
| Examiner Initials *                    | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |  |  |
|  | 7                     | BURNS et al. "A Linear Time, Constant Space Differencing Algorithm," IEEE proceedings of the 1997 Performance, Computing, and Communications Conference pp. 429-436 (February 1997).  |  |  |
|  | 8                     | SVOBODOVA "File Servers For Network-Based Distributed Systems," ACM Computing Surveys 16:353 - 398 (December 1984).   |  |  |
|  |                       |   |  |  |

|                    |  |                 |  |
|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
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